

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America  
v.  
Jhovani Aldair PABLO-Reyes

Case No. 2:23-mj-175

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 28, 2023 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

Code Section  
8 USC § 1326(a)(1)

Offense Description  
Illegal re-entry by a removed alien

This criminal complaint is based on these facts:  
see attached affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

VIA FACETIME

Date:

3/16/2023

City and state:

Columbus, OH

John Wissel  
Complainant's signature

John Wissel Deportation Officer

Printed name and title

Elizabeth Preston Deavers  
Judge's signature

Elizabeth Preston Deavers, U.S. Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>IN THE MATTER OF THE CRIMINAL</b>	)	
<b>COMPLAINT OF:</b>	)	
	)	<b>Case No.</b>
Jhovani Aldair PABLO-Reyes	)	

**AFFIDAVIT IN  
SUPPORT OF CRIMINAL COMPLAINT**

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer John Wissel, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with more than fourteen (14) years of experience as a Deportation Officer with the United States Immigration and Customs Enforcement (ICE) and Border Patrol Agent with the U.S. Border Patrol. I am assigned to the Columbus, Ohio Office of Enforcement and Removals-Field Operations. I have investigated both criminal and administrative matters involving aliens in the United States. I have successfully completed the U.S. Border Patrol Agent Academy at the Federal Law Enforcement Training Center (FLETC) at Artesia, NM.

My investigation has revealed the following facts:

2. On or about February 18, 2009, PABLO-Reyes, a citizen of Mexico, was arrested by Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) in Cleveland, Ohio. ICE issued PABLO-Reyes a Notice to Appear, form I-862. On February 27, 2009, an Immigration Judge in Cleveland, Ohio issued PABLO-Reyes a Stipulated Removal Order. On March 3, 2009, PABLO-Reyes was physically removed from the United States at Laredo, Texas. On that day, PABLO-Reyes surrendered his fingerprint and photo for the immigration form I-294 (Warning to Alien Ordered Removed or Deported) of which he signed. PABLO-Reyes's departure was witnessed and signed by an Immigration Officer.
3. On or about May April 25, 2011, PABLO-Reyes was encountered by ICE in Columbus, Ohio, and his prior order of removal was reinstated. On May 3, 2011, PABLO-Reyes was physically removed from the United States at Laredo, Texas. On that day, PABLO-REYES surrendered his fingerprint and photo for the immigration form I-294 (Warning to Alien Ordered Removed or Deported) of which he signed. PABLO-Reyes's departure was witnessed and signed by an Immigration Officer.

4. On or about July 19, 2012, PABLO-Reyes was encountered by ICE in Columbus, Ohio, and his prior order of removal was reinstated. On July 31, 2012, PABLO-Reyes was physically removed from the United States at Laredo, Texas. On that day, PABLO-REYES surrendered his fingerprint and photo for the immigration form I-294 (Warning to Alien Ordered Removed or Deported) of which he signed. PABLO-Reyes's departure was witnessed and signed by an Immigration Officer.
5. On or about April 24, 2013, PABLO-Reyes was encountered ICE in Columbus, Ohio, and his prior order of removal was reinstated. On May 2, 2013, PABLO-Reyes was physically removed from the United States at Laredo, Texas. On that day, PABLO-REYES surrendered his fingerprint and photo for the immigration form I-294 (Warning to Alien Ordered Removed or Deported) of which he signed. PABLO-Reyes's departure was witnessed and signed by an Immigration Officer.
6. On or about February 6, 2014, PABLO-Reyes was encountered by the United States Border Patrol (USBP) at or near Falfurrias, Texas, and his prior order of removal was reinstated. On February 25, 2014, PABLO-Reyes was physically removed from the United States at Brownsville, Texas. On that day, PABLO-REYES surrendered his fingerprint and photo for the immigration form I-294 (Warning to Alien Ordered Removed or Deported) of which he signed. PABLO-Reyes's departure was witnessed and signed by an Immigration Officer.
7. On or about March 9, 2014, PABLO-Reyes was encountered by the USBP at or near Roma, Texas, and his prior order of removal was reinstated. A USBP filed a criminal complaint in the United States District Court, Southern District of Texas McAllen Division alleging PABLO-Reyes to be in violation of Title 8 United States Code, Section 1325(a)(1). On the same date a U.S. Magistrate Judge found PABLO-Reyes guilty of 8 USC 1325 (a)(1), illegal entry and was sentenced to time served. On March 18, 2014, PABLO-Reyes was physically removed from the United States at Hidalgo, Texas. On that day, PABLO-Reyes surrendered his fingerprint and photo for the immigration form I-294 (Warning to Alien Ordered Removed or Deported) of which he signed. PABLO-Reyes's departure was witnessed and signed by an Immigration Officer.
8. At an unknown place and time, PABLO-Reyes entered the United States without having been inspected or admitted by and immigration officer. DHS database queries were negative for evidence of a lawful entry.
9. On February 26, 2023, the Columbus Police Department in Columbus, Ohio arrested PABLO-Reyes for Domestic Violence and Assault. Subsequently he was booked into the Franklin County Jail and thereafter the ICE Duty Officer in Columbus, Ohio was contacted due to his arrest so that his alienage could be determined. It was determined through DHS databases that PABLO-Reyes is a citizen and national of Mexico and has been encountered/removed numerous

times. PABLO-Reyes's Alien Registration was discovered as A# 087 471 548. On February 28, 2023, ICE placed a detainer on PABLO-Reyes.

10. On March 15, 2023, the Franklin County Jail notified the ICE Duty Officer in Columbus, Ohio that PABLO-Reyes posted bond, however, would be transported to the Tri-County Jail on a Failure to Appear Warrant for OVI, OVI/High Breath, No-Ops, and U-turn issued by the Madison County Municipal Court. The ICE detainer was affirmed to follow PABLO-Reyes. The Domestic Violence and Assault charges are currently pending, Case No. 2023 CRB 3063.
11. On March 15, 2023, the Tri-County Jail contacted the ICE Duty Officer in Columbus, Ohio that PABLO-Reyes was ordered Released on Recognizance pertaining to the Failure to Appear Warrant issued by the Madison County Municipal Court and that PABLO-Reyes was ready to be turned over to ICE once scheduling could be made. The charges listed above are currently pending, Case No. TRC 1905000.
12. Your Affiant uses the above facts to establish probable cause that PABLO-Reyes is an alien, was found in the Southern District of Ohio, after having been removed from the United States on or about the above dates, at or near the above locations, and not having obtained the express consent of the Attorney General or the Secretary of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a)(1).

John Wissel  
John Wissel  
Deportation Officer  
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this 16th day of March,  
2023.

VIA FACETIME

Elizabeth A. Preston Deavers  
Elizabeth A. Preston Deavers  
United States Magistrate Judge

